

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

**No. 01-3676**

Gordon v. Gonzalez

**O R D E R**

Mark L. Tamburri, Esq. is hereby appointed as counsel for Petitioner without compensation pursuant to 28 U.S.C. 1915(e)(1). Mr. Tamburri shall have a period of 45 days from the date of this order to review the record. Prior to the expiration of that 45 day period, counsel shall advise the Clerk whether additional documents are necessary. If counsel does not need additional documents, the Clerk will issue a briefing schedule immediately after the 45 day review period ends.

For the Court,

Marcia M. Wallron

Clerk

Dated: January 7, 2003

CH/cc: Mark L. Tamburri, Esq.  
Mr. Juken Washington Gordon  
Anna K. Fiorenza, Esq.

Exhibit (A).

JONES DAY

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771270-600001

December 16, 2003

Mr. Juken Washington Gordon #05373-088  
USP Allenwood  
Highway 15  
P.O. Box 3000  
White Deer, PA 17887

Re: Gordon v. Gonzalez, et al., C.A. No. 01-3676

Dear Juken:

Enclosed please find a copy of the Notice of Judgment, Judgment and Opinion issued by the United States Court of Appeals for the Third Circuit in the above-referenced matter. The Third Circuit has vacated the district court's September 14, 2001 order granting summary judgment to the defendants on your Eighth Amendment claim and has remanded that claim to the district court. Please note that the Appellees have until January 2, 2004 to petition the Third Circuit for rehearing. Because they confessed error in response to your appeal, it is unlikely that they will petition the Third Circuit for rehearing.

It has been our privilege to represent you in this matter. As we have discussed previously, the scope of the Firm's representation was limited to handling your case through initial appeal to the Third Circuit. Unfortunately, as a result, we are unable to provide any additional services to you should you decide to pursue the matter further. If you do decide to pursue the matter further, either on your own or through other *pro bono* counsel, we will be happy to turn over the case file. If you would like for us to do so, please contact me to make the appropriate arrangements.

Again, we appreciate the opportunity to have served you on appeal. Best of luck in all your future endeavors.

Very truly yours,



Mark L. Tamburri

Enclosures

Exhibit (B).